

1 ETHAN D. KIRSCHNER (State Bar No. 235556)  
ethan@kirschner-law.com

2 **KIRSCHNER LAW, PC**  
8383 Wilshire Blvd. Ste. 510  
3 Beverly Hills, CA 90211  
Phone: (213) 935-0250  
4 Fax: (213) 986-3106

5 *Attorney for Plaintiff*  
DOUGLAS SINCLAIR

6 Ryan L. Eddings, Bar No. 256519  
reddings@littler.com

7 **LITTLER MENDELSON, P.C.**  
8 5200 North Palm Avenue  
Suite 302  
9 Fresno, California 93704.2225  
Telephone: 559.244.7500  
10 Fax No.: 559.244.7525

11 *Attorneys for Defendant*  
NATIONAL RAILROAD PASSENGER  
12 CORPORATION dba AMTRAK

13  
14 **UNITED STATES DISTRICT COURT**  
15 **EASTERN DISTRICT OF CALIFORNIA**  
16

17 DOUGLAS SINCLAIR, an individual,  
18 Plaintiff,  
19 v.

20 NATIONAL RAILROAD  
PASSENGER CORPORATION d/b/a  
21 AMTRAK, a corporation; and DOES 1-  
20, inclusive,  
22 Defendants.  
23

Case No. 1:22-cv-00744-JLT-SKO

**PARTIES' JOINT STIPULATION  
TO CONTINUE DECEMBER 5,  
2023, SETTLEMENT  
CONFERENCE DATE**

Honorable Judge Sheila K. Oberto

**STIPULATION**

Plaintiff Douglas Sinclair (“Plaintiff”) and Defendant National Railroad Passenger Corporation d/b/a Amtrak (“Defendant”) (all parties collectively “the Parties”), through their respective counsel of record, and based upon good cause and the following facts, hereby agree and stipulate as follows:

WHEREAS, Plaintiff and Defendant continue to have differing views of the appropriate settlement amount, if any, of this matter;

WHEREAS, the Settlement Conference in this matter is currently scheduled for December 5, 2023 at 10:30 a.m.;

WHEREAS, Defendant filed a Motion for Summary Judgment (“Motion”) scheduled to be heard on or about December 11, 2023, and Plaintiff has opposed the Motion [Dkt. 38];

WHEREAS, the parties agree that resolution of the Motion by the Court is a necessary precondition for the parties to have a productive Settlement Conference; and

WHEREAS, counsel for Plaintiff is unavailable from January 13 to January 23, 2024, for a family vacation;

IT IS HEREBY STIPULATED by the Parties that the Settlement Conference should be continued to January 9, 2024, at 10:30 a.m., or a date thereafter chosen by the Court for which the parties and their counsel are available.

//

//

//

//

//

//

//

//

Respectfully submitted,

DATED: November 20, 2023

KIRSCHNER LAW, PC

By /s/ Ethan D. Kirschner  
Ethan D. Kirschner

Attorney for Plaintiff Douglas Sinclair

DATED: November 20, 2023

LITTLER MENDELSON, P.C.

By /s/ Ryan L. Eddings  
Ryan L. Eddings

Attorneys for Defendant National Railroad  
Passenger Corporation d/b/a Amtrak

**ORDER**

The Court, having considered the Parties' stipulation (Doc. 45), and good cause appearing, approves the Stipulation and continues the Settlement Conference in this matter to January 23, 2024, at 10:30 a.m. All associated deadlines, including the Pre-Settlement Telephonic Conference (Doc. 35) set for November 28, 2023, are VACATED and will be reset per a written order regarding Settlement Conference procedures that will follow.

IT IS SO ORDERED.

Dated: November 21, 2023

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE